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Transmission by Facsimile on February 19, 2007

FEB 20 2007

PATENT
Dkt. No. HO-P02393US0**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Timothy E. Grib, Michael A. Brown**
Assignee: **WILTEL COMMUNICATIONS GROUP, INC.**
Application No.: **09/964,232** Group No.: **2143**
Filed: **September 26, 2001** Examiner: **Kyung H. Shin**
For: **METHOD AND APPARATUS FOR PERFORMANCE MEASUREMENT OF
DIFFERENT NETWORK ROUTES BETWEEN DEVICES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 24, 2007, for a second time rejecting claims 1-29.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity: \$500.00

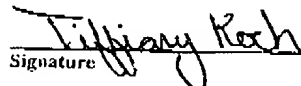
Notice of Appeal fee due: \$500.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

- TRANSMISSION
■ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: February 19, 2007


Signature

Tiffany Koch
(type or print name of person certifying)

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The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for 1:

Fee: \$120.00

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$500.00
Extension fee: \$120.00

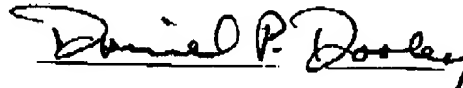
TOTAL FEE DUE \$620.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$620.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

Respectfully submitted,

Date: 2-19-07



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